

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Jennifer Ringley,)	Civil Action No.: 4:17-cv-00395-RBH-TER
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Horry County Council, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

This matter is before the Court for a ruling on a Report and Recommendation (R & R) entered by United States Magistrate Judge Thomas E. Rogers, III and made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2)(e) for the District of South Carolina. *See* R & R, ECF No. 64. The Magistrate Judge recommends that the Court dismiss Defendant State of South Carolina from this action without prejudice pursuant to Federal Rule of Civil Procedure 41(b). *Id.* at 2.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

Plaintiff has not filed objections to the R & R, and the time for doing so has expired.¹ In the absence of objections to the R & R, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199-200 (4th Cir. 1983).

¹ Objections were due by June 26, 2017. *See* ECF No. 64.

The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’” (quoting Fed. R. Civ. P. 72 advisory committee’s note)).

After a thorough review of the record in this case, the Court finds no clear error and therefore adopts and incorporates by reference the R & R [ECF No. 64] of the Magistrate Judge. Accordingly, the Court **DISMISSES** Defendant State of South Carolina *without prejudice*. The Court recommits this case to the Magistrate Judge for further pretrial handling.

IT IS SO ORDERED.

Florence, South Carolina
June 28, 2017

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge